

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 7/21/08

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NOVELLA JOHNSON,

Plaintiff,

07 Civ. 5805 (RJS) (AJP)

-against-

**ORDER OF DISMISSAL ON CONSENT**

CITY OF NEW YORK, METROPOLITAN  
TRANSIT AUTHORITY, MANHATTAN AND  
BRONX SURFACE TRANSIT OPERATING  
AUTHORITY & DAVID COLLUM,

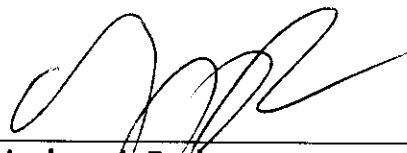
Defendants.  
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**ANDREW J. PECK, United States Magistrate Judge:**

The parties having informed the Court that they have reached a settlement agreement in principle and are finalizing settlement documents (see attached letter), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs, provided, however, that any party may reinstate the action within 30 days hereof if the settlement is not fully effectuated. Any pending motions are to be terminated as moot.

SO ORDERED.

DATED: New York, New York  
July 21, 2008

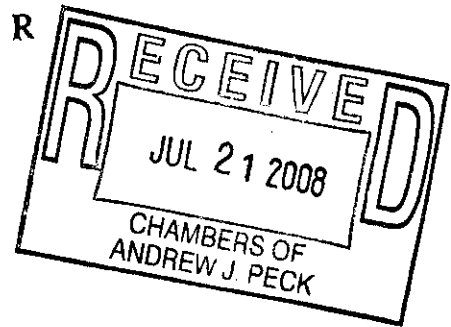
  
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**Andrew J. Peck**  
United States Magistrate Judge

Copies by fax & ECF to: Michael B. Lumer, Esq.  
Francine E. Menaker, Esq.  
Kristen Mary Nolan, Esq.  
Judge Richard J. Sullivan

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July 21, 2008

**By Facsimile**

Honorable Andrew J. Peck  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Johnson v. City of New York, et. al.*,  
07 CV 5805 (RJS) (AJP)

Dear Judge Peck:

We represent the plaintiff in the above referenced action and write to inform the Court that the parties have reached a settlement in this matter. However, the defendants have yet to submit the appropriate settlement documentation to effectuate the agreement. We therefore ask that the Court permit the parties a period of up to 30 days to continue the action if the settlement agreement is not consummated, and that the Court retain jurisdiction thereafter to enforce the agreement.

Thank you for your kind attention to this matter.

Very truly yours,

Michael Lumer (ML-1947)

cc: Kristen Nolan, Esq. (Via facsimile)